

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DANIEL CORIZ

Petitioner,

v.

No. 1:17-cv-1258 JB/KBM

VICTOR RODRIGUEZ,
ROBERT CORIZ, AND
KEWA PUEBLO,

Respondents.

ORDER TO ANSWER

This matter is before the Court on Daniel Coriz's petition under 25 U.S.C. § 1303 for habeas corpus relief from a tribal court conviction ("Petition") (Doc. 1). After reviewing the Petition, the Court determines it is not subject to summary dismissal. Petitioner, through counsel, has already served Robert Coriz and filed an affidavit of service in accordance with the requirements of Fed. R. Civ. P. 4. The Court will therefore order Coriz to file an answer to the Petition, as described below.

IT IS ORDERED that Coriz shall file an answer to the Petition (Doc. 1) within thirty (30) days from the date of entry of this Order. To the extent that deadline conflicts with any summons or procedural rule, this Order controls.

IT IS FURTHER ORDERED that the answer shall advise, but is not limited to, whether the Petitioner has exhausted his tribal court remedies with respect to the issues raised in the habeas petition. Coriz shall attach to his answer copies of any pleading pertinent to the issue of exhaustion which was filed by Petitioner in the sentencing court and appellate courts, together with copies of all memoranda filed by both parties in support of or in response to those pleadings.

Coriz shall also attach to the answer copies of all tribal court findings and conclusions, docketing statements, and opinions issued in Petitioner's tribal court post-conviction or appellate proceedings. In the event Coriz denies exhaustion, Coriz shall identify the tribal court procedures currently available to Petitioner given the nature of Petitioner's claims and their procedural history.

IT IS FURTHER ORDERED that the Clerk shall send a copy of this Order to Coriz, General Counsel for the Pueblo of Santo Domingo, and the Special Prosecutor of the Santo Domingo Tribal Courts using the contact information provided on the attachment to the Civil Cover Sheet (Doc. 4).


UNITED STATES CHIEF MAGISTRATE JUDGE